

Statement of Representative Henry A. Waxman August 5, 1999

We are here today for another hearing related to the Committee's investigation of campaign fundraising in the 1996 election cycle.

The purpose of the hearing is presumably to hear the testimony of Mark Middleton, a former White House aide. Mr. Middleton has cooperated with the Department of Justice's campaign finance investigation, and I am glad that he has done so.

I feel very strongly that witnesses should also cooperate with fair congressional investigations. This cooperation is essential if Congress is to fulfill its important oversight responsibilities.

I understand that Mr. Middleton will invoke his Fifth Amendment privilege against self-incrimination today. I wish we could have heard from him today, but I recognize that he has a constitutional right to choose not to testify. In fact, given the regrettable course of this investigation, I can understand only too well why he has made this choice.

In a letter to Chairman Burton this week, Mr. Middleton's lawyer stated:

Mr. Middleton's decision to decline to cooperate with the Committee has, unfortunately, not been a hard one. It has been prompted by a pattern of baseless allegations, burdensome subpoenas, unending harassment of Mr. Middleton, his family, friends, employees, and business associates, and malicious leaks of confidential business information. ... Based on this pattern of malicious and reckless statements, Mr. Middleton reasonably concluded that the Committee's inquiry was not a search for the truth but a campaign to punish. Under the circumstances, he concluded that while he would cooperate fully with the investigation conducted by the Campaign Finance Task Force of the Department of Justice, and would, in addition, make all of his business records fully available to your Committee, he would not testify or produce documents in his personal capacity.

Unfortunately, Mr. Middleton's characterization of this Committee's approach toward investigation is all too accurate.

Our Committee's work is beginning to resemble the search for the holy grail. We keep issuing more subpoenas, combing through more bank records, making more false accusations, and running down more blind alleys -- all in the hopes of finding something. Given the millions of pages of documents the Committee has received and the hundreds of people we have questioned, it's remarkable how little we have to show for this \$7 million investigation.

I wish Mr. Middleton could have illuminated our search by testifying today. But given our track record, we probably wouldn't have learned much anyway.